

AMENDED

## APPLICATION FOR PERMIT

## TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office

MAY 12 1960

Returned to applicant for correction

AUG 31 1960

Corrected application filed

SEP 26 1960

Map filed

AUG 16 1960

The applicant Pescio Brothersof P. O. Box 1754, McGill, County of White Pine,

State of Nevada, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Co-partnership consisting of  
John C. and Pete A. Pescio

1. The source of the proposed appropriation is Rabbit Springs  
Name of stream, lake or other source.

2. The amount of water applied for is 0.00625 second-feet.  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet                      acre-feet.

3. The water to be used for Stockwatering  
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)                     

(b) Stockwater (state number and kinds of animals to be watered) 200 cattle

(c) Other use (describe fully under "No. 11. Remarks")                     

(d) Power:

(1) Horsepower developed                     

(2) Point of return of water to stream                     

5. The water is to be diverted from its source at the following point: within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 3,

T. 17 N., R. 63 E., M.D.B.&M., or at a point from which the N.E. corner

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

of Sec. 35, T. 18 N., R. 63 E., M.D.B.&M., bears N. 57°51'16" E., a  
it should be stated. distance of 10,585.1 feet.

6. Place of use within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 3, T. 17 N., R. 63 E., M.D.B.&M.  
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1st and end about December 31st, of each year.  
Month Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Sidehill excavation. Water will  
be conveyed from spring by means of 30' of  $\frac{1}{2}$ " pipe to 30' of 24"  
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.  
troughs.

9. Estimated cost of works.....\$200.00.....  
10. Estimated time required to construct works.....1 year.....  
11. Remarks.....  
.....  
.....  
.....  
.....  
.....

Compared.....hs/lb.....kb/bw.....Applicant.....Pescio Brothers.....  
Reinstated 3-2-61.....By.....s/ Pete A. Pescio.....

.....DENIAL..... OF STATE ENGINEER

deny

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ the same, ~~notwithstanding~~  
~~the fact that the applicants do not have a grazing right in the~~

on grounds that the applicants do not have a grazing right in the  
service area of this spring, and its granting would be detrimental  
to the public welfare. REINSTATED March 2, 1961.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and  
not to exceed.....cubic feet per second.....

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....  
Completion of work filed.....  
Proof of beneficial use filed.....  
Cultural map filed.....  
Certificate No..... Issued.....  
Recorded..... Bk..... Page.....

WITNESS MY HAND AND SEAL this.....10th.....day  
of.....February....., 1961

*Edmund A. Smith*  
State Engineer.

AMENDED  
APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... May 12, 1960

Returned to applicant for correction..... August 31, 1960

Corrected application filed..... September 26, 1960

Map filed..... August 16, 1960

The applicant..... Pescio Brothers  
of P. O. Box 1754, McGill....., County of White Pine  
State of Nevada....., hereby make application for permission to appropriate the public  
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-  
tion; if a copartnership or association, give names of members.) Co-partnership consisting of  
John C. and Pete A. Pescio

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Name of stream, lake or other source.

2. The amount of water applied for is 0.00625.....second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....acre-feet

3. The water to be used for Stock Watering  
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 200 cattle

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 11. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

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Describe by legal subdivision, if on unsurveyed land it should be so stated.

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and specifications of your diversion or storage works.) Sidehill excavation. Water will  
be conveyed from spring by means of 30' of  $\frac{1}{2}$ " pipe to 30' of 24"  
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.  
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9. Estimated cost of works.....\$200.00  
10. Estimated time required to construct works.....1 year  
11. Remarks.....  
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Applicant.....Pescio Brothers  
By.....s/ Pete A. Pescio  
Compared.....hs/lb.....hs/nf.....

.....APPROVAL..... OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

.....This permit is issued subject to all existing rights on  
the source.....It is understood that the amount of water herein  
granted is only a temporary allowance and that the final water  
right obtained under this permit will be dependent upon the  
period of use and the average number of cattle served from  
the waters of this source.....The State retains the right to  
regulate the use of the water herein granted at any and all  
times, but does not take responsibility for the use of the Federal  
range.....

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0062 cubic feet per second, or sufficient water to water 200 head of cattle.

Actual construction work shall begin on or before.....December 16, 1961  
Proof of commencement of work shall be filed before.....January 16, 1962  
Work must be prosecuted with reasonable diligence and be completed on or before.....December 16, 1962  
Proof of completion of work shall be filed before.....January 16, 1963  
Application of water to beneficial use shall be made on or before.....December 16, 1963  
Proof of the application of water to beneficial use shall be filed on or before.....January 16, 1964  
Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....DEC 29 1961  
Completion of work filed.....DEC 11 1962  
Proof of beneficial use filed.....Dec 30, 1963

Cultural map filed.....  
Certificate No. 5702 Issued March 17, 1964  
Recorded.....3-19-64 Bk 238 Page 469  
.....County Recorder

WITNESS MY HAND AND SEAL this 16th day of June, 1961

EDMUND A. MUTH  
State Engineer  
By.....Assistant State Engineer